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REMARKS

Election/Restrictions:

Applicant acknowledges the election of claims 1-8 without traverse. It is understood that Applicant reserves the right to elect withdrawn claims 9-13 for prosecution in a subsequent divisional application(s).

Specification:

The abstract of the disclosure has been objected to for reciting phrases which may be implied. The abstract has been amended to clarify the disclosure and is thus believed to be in allowable condition.

The Examiner finds that the present title is not descriptive. Applicant proposes the title "Fluoropolymer Composition for Lining Adhesion to a Surface". This title is supported by page 3, lines 18-20 of the specification.

35 USC § 112:

Claims 2 and 3 have been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The lower limit of the metal powder of claims 2 and 3 have been amended to 0.2 wt percent. Support for this lower limit is found on page 7, lines 13- 18. Claims 2 and 3, as amended, are now believed to be in allowable condition.

35 USC § 103(a):

Claims 1 -- 8 are rejected under 35 USC 103(a) as being unpatentable over Honda et al. (US 4,916,146 A) in view of Kawaski et al. (US 5,782,730 A). Applicant disagrees.

Claim 1 has been amended to clarify the composition as melt flowable. This is supported by lines 11-15, on page 5 of the specification.

In the present invention, metal powders such as aluminum are taught away from use in the present invention because such metal promotes bubbling in the lining during formation. (See page 3, lines 20-22.) This is in contrast to Honda. The Examiner states on page 5, that "Honda does not explicitly teach that the metal powder is an adhesion promoting, non-bubble promoting metal powder". Furthermore, Honda discloses in column 3, line 59 the use of

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aluminum. Thus, Honda does not teach the adhesion promoting, non-bubble promoting metal powder composition of the present invention.

Kawasaki teaches the use of metal powder (see col 7, lines 30-32) in reference to the elastic layer of the pressure roller, which is silicone rubber. Thus, Kawasaki does not teach adding the metal powder to the fluororesin top layer but rather to silicone. Hence, Applicant contends it would not have been obvious to combine Honda et al. with Kawasaki et al. That is, it would not have been obvious to combine Honda, which teaches away from an adhesion promoting, non-bubble promoting metal powder composition, to Kawasaki, which teaches the use of metal powder in silicone rather than fluororesin, to obtain the present invention. Hence, there is no motivation to combine these references. For these reasons, claim 1, as amended, is believed to be in allowable condition.

Claims 4-6 are dependent from claim 1 and thus believed to be non-obvious for the same reasons as claim 1.

Applicant contends that claim 2 and 3 are dependent from claim 1, and thus are believed to be in allowable condition for the above reasons regarding claim 1.

Applicant contends that claim 7 is dependent from claim 1, and thus is believed non-obvious for the above stated reasons regarding claim 1.

Claim 8 is dependent from claim 1 and thus believed to be in allowable condition for the above stated reasons regarding claim 1.

No petition under 37 CFR § 1.136 for an extension of time to respond to the Examiner's action is believed required. However, should a fee be required for consideration of this fee, please charge that to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company.)

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

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